

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 19, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-20487 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: THE ISLAND DEVELOPMENT LLC - OWNER: NEAR AND FAR LLC - Request for a Variance TO ALLOW A 15-FOOT SET BACK WHERE A 254.5-FOOT SET BACK IS REQUIRED FROM A COLLECTOR STREET FOR A PROPOSED MIXED-USE HIGH RISE on 2.92 acres at 401 South Maryland Parkway (APNs 139-34-811-047 and 052), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

13

City Council Meeting

20

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard protest and supports
6. Returned postcard protests and supports and support letters, unmarked postcard
7. Written comments by Bradford Roberts
8. Backup referenced from the 06-14-07 Planning Commission Meeting Item 23

Motion made by GARY REESE to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-STEVE WOLFSON)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 112-117.

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PEGGY POUND, Picus Group, 6324 Shady Valley Court; ELIAS ABBOD, EJA Design Studio, 1400 Morning Crescent Street, Henderson; and DUSTY BUCKEL, The Island Development, LLC, all appeared on behalf of the developer.

COUNCILMAN REESE noted that staff's recommendation for denial is due to the proposed high-rise project not meeting City standards.

MAYOR GOODMAN reiterated from a previous meeting his concern that a project of this magnitude did not have funding in place. He received a pamphlet from the representatives yesterday. He contacted MR. COCHRAN, S&R Property Development, LLC, who represented in a letter to MS. BUCKEL that his company will be able to fund this project and monies will be transferred to the Island Development, LLC's bank account after October 2, 2007. MR. COCHRAN also indicated he had sufficient funds in the amount of 1.1 billion dollars for the development of The Islands and the acquisition of a 12-block assemblage for a vertical village development. MR. COCHRAN assured him funding can be done in 2008. MAYOR GOODMAN informed him that the Council would be taking him at his word and making it a part of the record at this meeting. Should the funding or project not take place, the Mayor will hold MR. COCHRAN accountable, based on his representation that funding is in place. The MAYOR pointed out that individuals are not placed under oath unless the circumstances are extraordinary.

ASSISTANT CITY ATTORNEY BRYAN SCOTT and COUNCILMAN REESE specifically confirmed with MS. POUND that they are in acceptance of all conditions imposed on Items 115 and 116.

MAYOR GOODMAN asked that the representatives contact his office on October 2nd to verify funding in the amount of 1.1 billion dollars has been deposited into the project's bank account. MS. POUND wholeheartedly concurred.

MAYOR GOODMAN declared the Public Hearing closed for Items 112-117.